

REMARKS

The application has been reviewed in light of the Office Action mailed on January 11, 2006. Claims 1-63 have been cancelled without prejudice. New claims 64-125 have been added without adding new matter. Claims 64-125 are now pending in the application.

Claims 1-63 are objected to under 37 CFR 1.75(c), rejected under 35 U.S.C. § 112, and rejected under the judicially created doctrine of obviousness-type double patenting. Claims 1-63 have been cancelled and the language of new claims 64-125 obviates the objection and rejections raised in the office action. Therefore, the objection under 37 CFR 1.75(c), the rejection under 35 U.S.C. § 112, and the rejection under the judicially created doctrine of obviousness-type double patenting should be withdrawn as moot.

Claims 1-63 stand rejected under 35 U.S.C. §§ 102, 103 as being anticipated and/or obvious over Elian, U.S. Patent No. 6,854,972 ("Elian") and Abarno, U.S. Patent Application Publication No. 2003/0031982 ("Abarno"). Although Applicants disagree with the rejections, claims 1-63 have been cancelled solely to pursue subject matter presented by new claims 64-125. Applicants reserve the right to pursue the cancelled claims, and other claims, in this and other applications.

New claims 64-125 recite limitations that distinguish over Elian and Abarno, taken alone or in combination. For example, independent claim 64 recites, inter alia, a dental implant "wherein said coronal end is configured such said length is greatest on the substantially lingual side and least on the substantially buccal side such that said length continuously decreases from said lingual side to said buccal side." Abarno fails to teach or suggest this limitation, as acknowledged by the Office Action, page 11. Elian illustrates in Fig. 3 an embodiment in which the "height of the top portion of the

dental implant is less on the buccal side of the implant and rises toward the interproximal sides of the implant.” Column 3, lines 26-28. The top portion, however, is flat from the interproximal sides to the lingual side. Thus, the references, whether taken alone or in combination, fail to teach or suggest that “said length continuously decreases from said lingual side to said buccal side” (emphasis added).

Independent claim 77 recites, inter alia, a dental implant comprising a “circumferentially oriented texture surface on said upper portion; and wherein said body has a height along said outer surface such that said height is greatest on the substantially lingual side and least on the substantially buccal side.” Eliau teaches vertical grooves 20 on its upper portion. Although Abarno illustrates horizontal grooves 64, such grooves cannot be substituted into Eliau because Eliau requires vertical grooves 20 to be “aligned with the longitudinal grooves 70 formed in the wall of the opening 72, preventing rotation of the implant 10.” Column 7, lines 15-17. Thus, claim 77 is distinguished over the cited references, whether taken alone or in combination, for at least these reasons.

Independent claim 89 recites, inter alia, a dental implant “wherein said coronal end is configured such that said length is greatest on the substantially lingual side and least on the substantially buccal side; and wherein said longitudinal body has, at said coronal end, a connection feature comprising a female cone.” Abarno and Eliau fail to teach or suggest an implant comprising a “longitudinal body [that] has, at said coronal end, a connection feature comprising a female cone.” Claim 89 is distinguished over the cited references for at least this reason.

Independent claim 101 recites, inter alia, a dental implant “wherein said height substantially increases from said buccal side to said lingual side such that said coronal end is configured to follow bony anatomy of the jawbone.” Eliau does not

teach a “coronal end [that] is configured to follow bony anatomy of the jawbone,” but rather teaches that its top surface 28 “substantially matches ... the cemento-enamel junction of the natural tooth.” Column 5, lines 52-55. Abarno also fails to teach or suggest a “coronal end [that] is configured to follow bony anatomy of the jawbone,” and therefore claim 101 is distinguished over the cited references alone or in combination for at least these reasons.

Independent claim 114 recites, inter alia, a dental implant comprising a “body ...; and an abutment with a connection portion having an outer male conical shape for connecting with said inner conical shape; and said body having a varying height such that ... said height is greatest on the substantially lingual side and least on the substantially buccal side.” Elan fails to teach or suggest an “abutment with a connection portion having an outer male conical shape for connecting with said inner conical shape.” Abarno discloses an abutment with an inner shape for connecting. Thus, the cited references, whether taken alone or in combination, fail to teach or suggest all the limitations of claim 114.

Independent claim 124 recites, inter alia, an abutment for a dental implant “wherein said shoulder portion has a sloped contour and is adapted to be installed in close proximity to a coronal end of a dental implant, and wherein said shoulder portion is configured such that a distance on said lingual side from said tip end to said shoulder portion is shorter than a distance on said buccal side from said tip end to said shoulder portion.” Abarno and Elan, whether taken alone or in combination, fail to teach or suggest an abutment “wherein said shoulder portion is configured such that a distance on said lingual side from said tip end to said shoulder portion is shorter than a distance on said buccal side from said tip end to said shoulder portion.” Claim 124 is distinguished over the cited references for at least this reason.

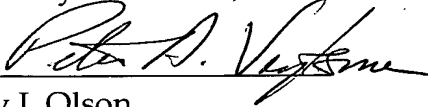
The new dependent claims should be allowed for the same reasons their base claims are allowable. In addition, the dependent claims recite limitations which, in combination with their base claims, render the dependent claims allowable.

In view of the above remarks, Applicants believe the pending application is in condition for allowance. If the Examiner believes that anything further may be required to place the claims in even better form for allowance, the Examiner is cordially invited to telephone the undersigned attorneys for Applicants.

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance.

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